IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal (Ld) No.244 of 2005
in
Chamber Summons No.1787 of 2003
in
Suit No.4578 of 2000

1. M/s Nationalpet & Ors. ..Appellants

vs.

Shri Sunil V.Bharkhada ..Respondents

Mr.Milind Vasudeo i/b Mr.J.S.Chandnani for appellants.
Mr.M.G.Barve for respondents.

CORAM: A.P.SHAH &
S.J.VAZIFDAR JJ.
27th April, 2005

P.C.

1. Heard Advocates.

2. The appellant has deposited the adhoc royalty at the rate of Rs.5000/- p.m. from 20th November, 2002 to 10th December, 2002 i.e. till discharge of the Receiver. The appellant is not liable to pay the royalty after discharge of the receiver.

3. As far as prayer for removal of the machinery, the respondent has alleged that most of the machinery has been clandestinely removed. Therefore, no order can be passed in respect of the machinery at this stage.

4. Parties are at liberty to move the Receiver for appropriate relief in respect of machinery.

5. Appeal stands disposed of.